

DECLARATION CONFIRMING SEARCH FOR PUBLIC RECORDS
PURSUANT TO THE CALIFORNIA PUBLIC RECORDS ACT AND CITY OF SAN
JOSE v. SUPERIOR COURT DECISION

I, SEAN MORGAN, am an elected official of the City of Chico (hereinafter, "City") and do declare as follows:

1. I understand that under California law, all responsive, non-exempt, public records must be disclosed in response to a Public Records Act ("PRA") request. (California Government Code Section 6250 *et seq.*) I have also been advised of the implications of PRA compliance regarding potential public records from my personal electronic device(s) in light of the California Supreme Court decision in *City of San Jose v. Superior Court* (2017) 2 Cal.5th 608.
2. I understand the definition of "public records" as it is defined in California Government Code Section 6252(e), which states "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics." As a result of the *City of San Jose* decision, this definition has been expanded to include a public official's personal electronic device(s) which contains communications relating to the conduct of the public's business.
3. I also understand that personal communications that are not related in some substantive way to the conduct of the public's business and which are sent from personal electronic devices are not required to be disclosed under the PRA.
4. I understand that a PRA request was submitted by Robin Epley ("Requestor"), dated September 20, 2019, for the following:
 - a) **A screenshot or picture of the blocked persons list[s] as of 11:30 a.m. PST on Sept. 20, 2019 from any social media page (such as Facebook, Twitter, Instagram, etc.) that you personally administrate as a government actor or identify on as political figure. This includes the blocked persons lists for any social media page where you identify yourself by your political title, any page that you run as a political organization; as well as any page that you inform the public about your government work, solicit input on policy issues via comments or likes, or swath in the trappings of your office. I also ask that you please include a timestamp on any and all documents.**
5. I have undertaken a good faith effort to locate all responsive records on my personal device(s). In a review of my personal electronic device, there was/were ____ record(s) that is/are a public record or is/are related to the public's business for the time period set forth by the Requestor.
6. In the event additional searches are conducted and result in responsive documents, those documents will be turned over to the City.

I hereby declare that the foregoing is true and correct to the best of my knowledge.



Name, Title

9/25/19

Date